

From: Katherine Camara  
Sent: Sunday, June 24, 2012 9:41 AM  
To: Joseph Shortall; Clark, Andrew (IMRP); Mike Lawlor  
Subject: CT Sentencing Commission June 28 meeting

I have been planning for months to attend the Commission meeting of June 28 and hope that the time and location will be posted soon.

Andrew Clark has advised me that there is no forum for the public to speak to the Commission as of yet. I am not certain how you can get a true picture of what is going on if you do not listen to those who live with the results of the sentences handed down to them. You obviously know there are vast differences in the sentences or this Committee would not have been formed.

Since I cannot speak to the Commission, I hope that you would consider my thoughts as a CT taxpayer

1) Sentencing should not be done by one judge. It should be one judge and one or two additional people - not necessarily judges. One judge having a bad day can lead to an unfair sentence. Will this be costly? Not if it makes for more appropriate sentencing.

2) Decide what the role is of presentencing investigations. I think you can do away with them and that would make money available to have a panel for sentencing. I can tell you from my experience - my son's PSI was completely different from 3 other defendants because his involvement in the crime was different and he has a mental health issue. His PSI reflected that, but the judge completely ignored it - he waived it off because only 2 PSI reports were done by the same officer (which should have had no bearing whatsoever). I was told that the PSI plays a role throughout the process, but you need to know that it doesn't. I have gone through the system - my son's PSI had no impact at any point. Every step of the process has a department - and none of the departments work together - so at no time does any information flow between them. At each juncture, the department in charge does whatever it deems appropriate, with no consideration to any other information.

3) Mandatory sentences need to be abolished. Every crime has its own circumstances. This is not about being soft on criminals, it's about having discretion. There should be recommended sentences or guidelines. We should have the ability to make intelligent, informed decisions - mandatory sentences are for a lazy system. My tax dollars pay for some nice salaries and benefits - is it too much to ask the courts to do some work? Again, have a small panel come up with the sentences - instead of parole officers writing PSIs - put them on the sentencing panel.

4) Mental health issues. Why are diversionary options only available for minor offenses? Once again, there is no discretion. A person with a mental health issue may become minimally involved in a major offense - but there is no measurement for that. I keep hearing about the issue of those with mental health issues in the prisons. They should be evaluated before sentencing - no matter what the offense - and there should be more options for programs other than imprisonment.

5) If a defendant has a doctor provide information at sentencing, the judge should listen and take that information into consideration - especially when the defendant has been given the right to argue for a lesser sentence. This happened to my son. We paid his doctor to attend his sentencing and inform the judge of his mental health issues. The judge dismissed the doctor insinuating that he said my son would become a hardened criminal if he went to prison. We were trying to point out his mental health issues and were asking for a reduced sentence since his involvement was different than the other defendants.

In my son's case - 2 other defendants had 4 and 6 felonies against them - they got them reduced to the same 2 as my son - just like that - 2 - 4 charges were dropped. But my son got no reduction, despite the fact that a doctor, a lawyer and a former college professor spoke on his behalf. I've seen reductions in sentences just for parents and coaches speaking on behalf of defendants.

After 9 months in prison my son was paroled on 5/16/12. I am/was his sponsor. It was immediately evident that his mental health had deteriorated severely. On 6/7/12 he was evaluated by the State and we were told he was fine. By that time his parole officer agreed with me that he was not fine and I had him seeking treatment privately. (His PO told me she could not believe that his condition was not noticed in prison and that he was just released to my home without any intervention). On 6/14/12, one week after the State evaluation said my son was fine, he had a psychotic episode which landed him in the emergency room of St. Mary's Hospital. The following morning I went to visit him and St. Mary's was going to admit him for treatment. That afternoon I got a call from parole that my son had been ripped out of St. Mary's by the State Marshals and taken to Garner Correctional where he remains without being allowed contact with me. The State has denied my son's mental health condition for almost a year, but when we put him in a hospital for private care - suddenly the State takes him back into custody and is forcing their treatment on him.

And so goes my nightmare that started at my son's sentencing. We asked for consideration - a lesser sentence and the ability for him to continue private treatment at my expense. His PSI recommended minimal incarceration and his doctor addressed the court. Now we are living a nightmare that I'm sure many others are. If your Committee really wants to understand sentencing, you need to hear these stories. We never asked for my son to go unpunished, but my son's punishment was cruel and unusual. If he had received a broken bone in prison, the State would be liable. What about a fractured mind?

Thank you for your consideration of my comments. I look forward to hearing what the Commission is working on at the June 28 meeting.

Sincerely,  
Katherine Camara

From: Katherine Camara Sent: Sunday, June 24, 2012 11:47 AM  
To: Joseph Shortall; Mike Lawlor; Clark, Andrew (IMRP)

Subject: June 28 Sentencing Commission

I'm sorry but I forgot one more very interesting aspect of sentencing - restitution.

How is a dollar amount computed? In my son's case - a burglary - actually 2 burglaries of the same residence to which my son was involved only in the second one by misunderstanding someone's intent - The victims claimed that they were out \$10,000 from pocket, even though they had been compensated by their insurance company. I work for an insurance company and I have never known one to make that big of a payout mistake. The victims took a Disney vacation after they got the insurance money. Were the defendants paying them restitution or sending them on vacation? It certainly appeared to me that the victims named their price and the judge agreed to it - is that how restitution works? These were very young men - 18 - obviously the judge knew it would be parents helping to pay the restitution. Why would he be punishing the parents of the defendants. They were not old enough to have \$2,500 in a bank account. It certainly seemed absurd.

And why did we have to pay the \$2,500 with a bank check payable to the victims and not the State of Connecticut? That did not seem appropriate to me. As I understand it, restitution is paid to the State of Connecticut to be disbursed to the victims. How do I know that the restitution was ever part of the court record when the check was made out to the victims. I have never been comfortable with that.

And the worst of it is - one defendant did not have a job or family support and could not pay the \$2,500 - so he has to serve twice the prison sentence as the others. The judge gave an elaborate explanation as to why we were not buying less prison time or that he was receiving a greater punishment for being less fortunate. How does that make sense? And why are the taxpayers now paying for his additional incarceration - wouldn't community service have been a better approach?

The inability of a judge to consider options at sentencing is costing the taxpayers a lot of money.

Thank you for your time and consideration to my thoughts.  
Katherine Camara